

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WEST PENN ALLEGHENY HEALTH  
SYSTEM, INC.,

Consolidated Plaintiff and  
Cross-Claim Defendant,

v.  
UPMC,

Consolidated Defendant and  
Cross-Claim Plaintiff,

*and together with*

UPMC HEATH PLAN INC. and PRODIGO  
SOLUTIONS LLC,

Third-Party Plaintiffs,

v.  
HIGHMARK INC., PROTOCO PPI LLC,  
PROTOCO SUPPLY CHAIN SERVICES LLC,  
HMPG PHARMACY LLC, and WEST PENN  
ALLEGHENY HEALTH SYSTEM INC.,

Third-Party Defendants.

**Case No. 2:12-cv-00692-JFC**

Consolidated with  
Case No. 2:09-cv-00480-JFC

**Electronically Filed**

**WEST PENN ALLEGHENY HEALTH SYSTEM, INC.'S  
NOTICE OF DISMISSAL WITH PREJUDICE**

Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, and the Court's order of December 20, 2013 (Doc. No. 230), plaintiff West Penn Allegheny Health System, Inc. dismisses all claims in the second amended complaint, dated April 24, 2012, in Case No. 2:09-cv-00480<sup>1</sup> against defendant UPMC, with prejudice, and with each party bearing its own attorneys' fees and costs incurred in connection with this action.

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<sup>1</sup> The Court consolidated this case with Case No. 2:12-cv-00692.

Dated: December 30, 2013

Respectfully submitted,

/s/ Barbara T. Sicalides

Andrew K. Fletcher  
PEPPER HAMILTON LLP  
One Mellon Center  
500 Grant Street, 50th Floor  
Pittsburgh, PA 15219  
Telephone: (412) 454-5000  
Facsimile: (412) 281-0717

Barbara W. Mather  
Barbara Sicalides  
Barak A. Bassman  
PEPPER HAMILTON LLP  
3000 Two Logan Square  
Eighteenth and Arch Streets  
Philadelphia, PA 19103-2799  
Phone: (215) 981-4000  
Facsimile: (215) 981-4750

Attorneys for West Penn Allegheny Health System, Inc.

**CERTIFICATE OF SERVICE**

The undersigned certifies that, on December 30, 2013, a true and correct copy of the foregoing WEST PENN ALLEGHENY HEALTH SYSTEM, INC.'S NOTICE OF DISMISSAL WITH PREJUDICE was served on all counsel of record by the Court's electronic filing system (CM/ECF).

/s/ Barbara T. Sicalides  
Barbara Sicalides